UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/664,486	09/17/2003	Daniel A. Petito	10740033010202	4365

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EXAMINER
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ART UNIT	PAPER NUMBER
4143	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 September 2003*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *17 September 2003* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date *9/17/03*.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

DETAILED ACTION

Status of Claims

1.   This action is in reply to the application filed on September 17, 2003.

2.   Claims 1-20 are currently pending and have been examined.

Information Disclosure Statement

3.   The Information Disclosure Statement filed on September 17, 2003 has been considered. An initialed copy of the Form 1449 is enclosed herewith.

Drawings

4.   The drawings are objected to because they are illegible. The print in Figure 2C and Figure 6 is too small hence, difficult to read. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant

to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

5.　　The drawings are objected to under 37 CFR 1.83(a). Figures 4A- 4C, and 5 are missing labels and/or titles. The unlabeled rectangular boxes should be provided with descriptive text labels. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

6.　　The attempt to incorporate subject matter into this application by reference to US Application 60/411601 and US Application no 09/971516 is ineffective because the

specification makes reference to "Cross Reference" and "Copyright Notice", however does not distinctly point out the subject matter which the applicant regards as his invention. Furthermore, the reference documents are not clearly identified as required by 37 CFR 1.57 (b)(2).

7.   The incorporation by reference will not be effective until correction is made to comply with 37 CFR 1.57(b), (c), or (d). If the incorporated material is relied upon to meet any outstanding objection, rejection, or other requirement imposed by the Office, the correction must be made within any time period set by the Office for responding to the objection, rejection, or other requirement for the incorporation to be effective. Compliance will not be held in abeyance with respect to responding to the objection, rejection, or other requirement for the incorporation to be effective. In no case may the correction be made later than the close of prosecution as defined in 37 CFR 1.114(b), or abandonment of the application, whichever occurs earlier.

Any correction inserting material by amendment that was previously incorporated by reference must be accompanied by a statement that the material being inserted is the material incorporated by reference and the amendment contains no new matter. 37 CFR 1.57(f).

Claim Rejections - 35 USC § 103

8.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described

as set forth in section 102 of this title, if the differences between the subject matter sought

to be patented and the prior art are such that the subject matter as a whole would have

been obvious at the time the invention was made to a person having ordinary skill in the art

to which said subject matter pertains. Patentability shall not be negatived by the manner in

which the invention was made.

9.   The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459

(1966), that are applied for establishing a background for determining obviousness under

35 U.S.C. 103(a) are summarized as follows:

(a)   Determining the scope and contents of the prior art.

(b)   Ascertaining the differences between the prior art and the claims at issue.

(c)   Resolving the level of ordinary skill in the pertinent art.

(d)   Considering objective evidence present in the application indicating obviousness

        or nonobviousness.

10.   Claims 1-20 are rejected as being unpatentable over Raveis, JR US Patent Application

Publication US2001/0005829A1 issued Jun 28, 2001; in view of Guardian Mortgage

Documents, www.gmd.com.

11.   **As per Claim 1**,

Raveis as shown discloses the following limitations:

- *a network accessible by a plurality of users involved in the property transaction;* (see at least Abstract: "….managing customer relationships throughout a real estate transaction cycle over a distributed computer network…." and "…buyers and sellers of real estate in a computerized database…"

- *a database, accessible via said network, said database allowing controlled access by the plurality of users and storing data related to said client,* (see at least Abstract: "…providing customers with secure access to the computerized database….")

Raveis teaches all of the limtations described above. Raveis does not disclose the following limitations, but Guardian Mortgage Documents (GMD) however, as shown discloses:

- *said database further including at least a first table having embedded rules wherein the rules define a work-flow for the property transaction and at least a second table defining at least one attribute of a display of information associated with said property transaction;* (see at least Guardian Mortgage Documents:… "Established in 1987, GMD offers its Next Generation Input System (NGIS)…."…as an ASP model, GMD can make changes/updates in documents for a client in real-time, resulting document changes being distributed…and unlimited ability to build custom interfaces to proprietary or client in-house systems are also embedded within NGIS…offers compliance with an infinite number of lender-specific customized rules. Compliance with local, state and national regulations is embedded. ….and the product can be private labeled to match the lender's look, feel and business model.)

- *a web-based user interface providing access to said database, wherein said user interface is dynamically controlled as a function of the at least one attribute defined in the second table.* (see at least Guardian Mortgage Documents:… "as a web-based

input document processing system......"and, "Software Features":"...GMD's proprietary software allows users to enter loan information into easy-to-use screens (standard or customized)....")

It would have been obvious to one skilled in the art at the time of the invention to combine the real estate networking capabilities of Raveis with the NGIS of Guardian Mortgage Documents because the web based input document processing system enables users to quickly produce and edit documents, validate compliance rules, confirm pricing, manage and electronically deliver any type of document.

12.   **As per Claim 2**,

Raveis and Guardian Mortgage Documents discloses the limitations as shown in the above rejection. Furthermore, Raveis as shown, discloses the following limitations:

- *the property transaction includes legal services* (see at least Raveis, paragraph 88, lines 25-31: "...notarizing legal documents and Attorney's Fees for legal services provided to the lender may also be charged..." and ""...the cost of the buyer's and seller's attorney may also appear as a closing or settlement cost....")

13.   **As per Claim 3**,

Raveis and Guardian Mortgage Documents discloses the limitations as shown in the above rejection. Furthermore, Raveis as shown, discloses the following limitations:

- *the legal services provided are associated with a closing of a real property transaction, and includes services rendered both prior to and after the closing of the real property transaction* (see at least Raveis (829), paragraph 93, lines 31-36: "...the activity file

documents and records all the member's real estate transactions, including closing

documents…..")

14.   **As per Claim 4,**

Raveis and Guardian Mortgage Documents disclose the limitations as shown in the above

rejection. Furthermore, Guardian Mortgage Documents as shown, discloses the following

limitations:

* *web-based user interface is generated in response to code operating on a server on
  the network, by taking the data in the second table and assembling HTML layout and
  object information* (see at least GMD NGIS description"…easy to use web-based
  document processing system…" and "…fully customizable data entry fields and
  screens…")

It would have been obvious to one skilled in the art at the time of the invention to combine

the real estate networking capabilities of Raveis with the NGIS of Guardian Mortgage

Documents because the web based input document processing system enables users to

quickly produce, customize and edit documents.

15.   **As per Claim 5,**

Raveis and Guardian Mortgage Documents disclose the limitations as shown in the

above rejection. Furthermore, Guardian Mortgage Documents as shown, discloses the

following limitations:

* *web-based user interface is generated in response to software operating on a server on
  the network, by taking the data in the second table and generating an XML result set and
  an XSL translation sheet,* (see at least GMD: "… as a web-based input document
  processing system…. GMD can make changes/updates in documents for a client in real-
  time, resulting document changes being distributed…and unlimited ability to build custom
  interfaces to proprietary or client in-house systems are also embedded within NGIS…)

- *and where software operating on a user computer loads the XSL translation sheet and process the XML result set to produce browser interpretable HTML code to display the interface at the user computer.* (see at least GMD:"...proprietary scripting language allows drop-and-drag customization for the fastest customization of input screens....)

It would have been obvious to one skilled in the art at the time of the invention to combine the real estate networking capabilities of Raveis with the proprietary software of Guardian Mortgage Documents because the XML/XSL formatting would allow users to securely generate and prepare quality documents, route to other offices, closing agents, title company or an attorney.

16.   **As per Claims 6 and 9**,

Raveis and Guardian Mortgage Documents disclose the limitations as shown in the above rejection. Furthermore, Raveis as shown, discloses the following limitations:

- *web-based user interface includes navigational information and is dynamically generated in response to information that includes identification of the user.* (see at least paragraph 34: "...the computer network 22 is the Internet...accessing information on the Internet is the World Wide Web, because navigation is intuitive...")

17.   **As per Claim 7**,

Raveis and Guardian Mortgage Documents disclose the limitations as shown in the above rejection. Furthermore, Raveis as shown, discloses the following limitations:

- *a network accessible by a plurality of users involved with the transaction;*(see at least Abstract: "....managing customer relationships throughout a real estate transaction cycle over a distributed computer network...." and "...buyers and sellers of real estate in a computerized database...")

- *a database, accessible via said network, said database allowing controlled access thereto by the plurality of users and storing data related to a client,*

    (see at least Abstract: "…providing customers with secure access to the computerized database….")

Raveis teaches all of the limitations described above. Raveis does not disclose the following limitations, but Guardian Mortgage Documents however, as shown discloses:

- *said database further including at least a first table having embedded rules wherein the rules define a work-flow for the transaction and at least a second table defining attributes for the display of information in said database*; (see at least Guardian Mortgage Documents:… "Established in 1987, GMD offers its Next Generation Input System….offers compliance with an infinite number of lender-specific customized rules. Compliance with local, state and national regulations is embedded. ….and In addition, the product can be private labeled to match the lender's look, feel and business model.)

- *a user interface responsive to information stored in said second table, that provides access to said database, such that the appearance of said user interface is dynamically controlled as a function of the attributes defined in the second table.* (see at least Guardian Mortgage Documents:… "as a web-based input document processing system......"and, "…as an ASP model, GMD can make changes/updates in documents for a client in real-time, resulting document changes being distributed…and unlimited ability to build custom interfaces to proprietary or client in-house systems are also embedded within NGIS…")

It would have been obvious to one skilled in the art at the time of the invention to combine the real estate networking capabilities of Raveis with the NGIS of Guardian Mortgage Documents because the web based input document processing system enables users to

quickly produce documents, validate compliance rules, confirm pricing, manage and electronically deliver any type of document.

18.   **As per Claim 8,**

Raveis and Guardian Mortgage Documents disclose the limitations as shown in the above rejection. Furthermore, Guardian Mortgage Documents as shown, discloses the following limitations:

- *the web-based user interface is generated in response to software operating on a server on the network, with an XML result set and an XSL translation sheet employing data in the second table, and where software operating on a user computer loads the XSL translation sheet and processes the XML result set to produce browser interpretable HTML code to display the interface at the user computer.* (see at least GMD: "... as a web-based input document processing system.... GMD can make changes/updates in documents for a client in real-time, resulting document changes being distributed...and unlimited ability to build custom interfaces to proprietary or client in-house systems are also embedded within NGIS...:" and   "...proprietary scripting language allows drop-and-drag customization for the fastest customization of input screens....)

It would have been obvious to one skilled in the art at the time of the invention to combine the real estate networking capabilities of Raveis with the proprietary software of Guardian Mortgage Documents because the XML/XSL formatting would allow users to securely generate and prepare quality documents, route to other offices, closing agents, title company or an attorney.

19.   **As per Claim 10,**

Raveis and Guardian Mortgage Documents disclose the limitations as shown in the above rejection. Furthermore, Raveis as shown, discloses the following limitations:

- *wherein the layout of the user interface is a record-set comprising information about each field of the interface* (see at least Section III: Activity File Section: paragraph 92: "...allows a client to enter a secure environment within which specific information relating to the client is stored in a computerized database....thus a record is established......"

20.   **As per Claim 11,**

Raveis and Guardian Mortgage Documents disclose the limitations as shown in the above rejection. Furthermore, Raveis as shown, discloses the following limitations

- *the record-set includes information about the data source of a field of the user interface* (see at least Section III: Activity File Section: paragraph 93: "...the activity file documents and records all the member's real estate transactions, including closing documents...)

21.   **As per Claim 12,**

Raveis and Guardian Mortgage Documents disclose the limitations as shown in the above rejection. Furthermore, Raveis as shown, discloses the following limitations

- *the record-set includes a stored procedure associated with the field* (see at least Section III: Activitiy File Section: paragraph 94: "...the activity file keeps the member up-to-date on every aspect of their move and homeownership....the activity log tracks when products and services will be delivered....allows the member to maintain and analyze records for all transactions related to their home....)

22.   **As per Claim 13,**

Raveis and Guardian Mortgage Documents disclose the limitations as shown in the above rejection. Furthermore, Raveis as shown, discloses the following limitations

- *the record-set includes an array* (see at least Section III: Activity File Section: paragraph 93:"... "...the activity file documents and records all the member's real estate transactions, including closing documents...)

23.   **As per Claim 14,**

Raveis and Guardian Mortgage Documents disclose the limitations as shown in the above rejection. Furthermore, Raveis as shown, discloses the following limitations

- *the record-set includes an object oriented structure* (see at least Figure 3 and Section III: Activity File Section , paragraphs 96 - 98: "...the activity files section 86 is an electronic storehouse for member mortgage papers, closing and settlement documents, records of ome-related purchases and property taxes...can be a home maintenance organizer for members...the activity file content and features are convenient and customized to the member's personal preferences....")

24.   **As per Claim 15,**

Raveis and Guardian Mortgage Documents disclose the limitations as shown in the above rejection. Furthermore, Raveis as shown, discloses the following limitations

- *the record-set includes data to control the information displayed in response to data identifying a transaction file that a user is seeking access to* (see at least Section III: Activity File Section, and paragraph 98: "...contact general area 310 contains fields for holding contact name and address...mortgage area 320 indicates the history....checklist area 330 indicates ....by selecting the phase an associated checklist webpage....can be accessed....)

25.   **As per Claim 16,**

Raveis and Guardian Mortgage Documents disclose the limitations as shown in the above rejection. Furthermore, Raveis as shown, discloses the following limitations

- *the network hosts a database that is employed to provide system access and*

  automated processing of transactions to users from a plurality of organizations (see at

  least paragraph 18:"…the method includes the steps of receiving and storing data

  relating to a plurality of customers including buyers and sellers of real estate in a

  computerized database and paragraph 31: "…environment 10 includes server 12,

  which communicates with a distributed computer network 22…server 12 hosts multiple

  websites, houses multiple databases….)

26.   **As per Claim 17**,

Raveis and Guardian Mortgage Documents disclose the limitations as shown in the above

rejection. Furthermore, Raveis as shown, discloses the following limitations

- *providing a network accessible by a plurality of users involved in the transaction;*(see

  at least Abstract: "….managing customer relationships throughout a real estate

  transaction cycle over a distributed computer network…." and "…buyers and sellers of

  real estate in a computerized database…"

- *creating a database, accessible via said network, said database allowing controlled*

  access by the plurality of users and storing data related to the transaction,

  (see at least Abstract: "…providing customers with secure access to the computerized

  database….")

  Raveis teaches all of the limitations described above.   Raveis does not disclose the

  following limitations, but Guardian Mortgage Documents however, as shown discloses:

- *database further including at least a first table having embedded rules wherein the*

  rules define a work-flow for the transaction and at least a second table defining

  attributes of a display of information associated with said transaction; (see at least

  Guardian Mortgage Documents:… "Established in 1987, GMD offers its Next

  Generation Input System….offers compliance with an infinite number of lender-

specific customized rules. Compliance with local, state and national regulations is embedded. ….and In addition, the product can be private labeled to match the lender's look, feel and business model.)

- *providing access to the database for a plurality of users, via a user interface, wherein said user interface is dynamically controlled as a function of data stored in the second table.* (see at least Guardian Mortgage Documents:… "as a web-based input document processing system that enables geographically dispersed users to quickly produce documents…..NGIS allows users to access and use GMD's forms engine whenever and wherever needed…")

It would have been obvious to one skilled in the art at the time of the invention to combine the real estate networking capabilities of Raveis (829) with the NGIS of Guardian Mortgage Documents because the web based input document processing system enables users to quickly produce documents, validate compliance rules, confirm pricing, manage and electronically deliver any type of document.

27.   **As per Claim 18,**

Raveis and Guardian Mortgage Documents disclose the limitations as shown in the above rejection. Furthermore, Raveis as shown, discloses the following limitations

- *receiving a request from a user computer for display of information; and in response to the request, generating a user interface card having the requested information displayed therein, where the layout and the data depicted in the card are, at least partially, retrieved from the second table* (see at least Figure 5, and section IV: Web Reporting Section, paragraph 102: "…an exemplary web page relating to a vendor…server 12 displays the vendor information…contains a link to policy information associated with the vendor….contains several user selectable fields….website of the vendor..and paragraph 103: "…further links may be provided

from the services sold screen to vendors to facilitate providing requests for proposals...)

28. **As per Claim 19**,

Raveis and Guardian Mortgage Documents disclose the limitations as shown in the above rejection. Furthermore, Raveis as shown, discloses the following limitations

- *controlling the information displayed as a function of the user making the request* (see at least Figure 4 and paragraph 102: "...contains several user selectable fileds...)

29. **As per Claim 20**,

Raveis and Guardian Mortgage Documents disclose the limitations as shown in the above rejection. Furthermore, Raveis as shown, discloses the following limitations

- *controlling the information displayed as a function of the transaction* (see at least Figure 5 and paragraph 103: "...a move consultant would refer to the services sold screen 500 when discussing the management of a contacts need for goods and services...alternatively a contact may directly access the services sold screen to manage their affairs....")

Conclusion

30. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Fraser, US Patent 5664115 issued September 2, 1997 Interactive Computer System to match buyers and sellers of Real Estate, Businesses and Other Property using the

Internet. Reference describes a method and apparatus of automatically matching

sellers of property with buys via communications network.

- Klivington et al., US Patent Application Publication US2003/0187756, Electronic Realty

   and Transaction System and Method Therein issued October 2, 2003. Reference

   describes an automated realty transaction system and provides a "one-stop-show" for

   all real estate related transactions.

- Raveis Jr, US Patent 6321202B1, System and Method for managing transactions

   relating to Real Estate issued November 20, 2001. Reference describes a system and

   method for managing real estate transactions.

31.   Any inquiry of a general nature or relating to the status of this application or concerning

this communication or earlier communications from the Examiner should be directed to

Kimberly L. Evans whose telephone number is **571.270.3929.** The Examiner can

normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the

examiner by telephone are unsuccessful, the Examiner's supervisor, **James A. Reagan**

can be reached at **571.272.6710**.

32.   Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status information

for unpublished applications is available through Private PAIR only. For more information

about the PAIR system, see http://portal.uspto.gov/external/portal/pair <http://pair-

direct.uspto.gov >. Should you have questions on access to the Private PAIR system,

contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free). Any response to

this action should be mailed to: **Commissioner of Patents and Trademarks**

Washington, D.C. 20231or faxed to **571-273-8300**. Hand delivered responses should be

brought to the **United States Patent and Trademark Office Customer Service Window**:

Randolph Building 401 Dulany Street, Alexandria, VA 22314.

/Kimberly Evans/Examiner, Art Unit 4143

January 18, 2008

/James A. Reagan/Supervisory Patent Examiner, Art Unit 4143